

**FILED**

**MAR 14 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

JESUS CORTEZ SALDIVAR; et al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 04-71812

Agency Nos. A75-762-792  
A75-762-793

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted March 8, 2006<sup>\*\*</sup>

Before: CANBY, BEEZER and KOZINSKI, Circuit Judges.

Jesus Cortez Salvidar and Maria Guadalupe Cortez, natives and citizens of  
Mexico, petition pro se for review of the Board of Immigration Appeals' ("BIA")

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<sup>\*</sup> This disposition is not appropriate for publication and may not be  
cited to or by the courts of this circuit except as provided by Ninth Circuit Rule  
36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without  
oral argument. *See* Fed. R. App. P. 34(a)(2).

order denying their motion to reopen removal proceedings. Our jurisdiction is governed by 8 U.S.C. § 1252. We review the denial of a motion to reopen for abuse of discretion. *de Martinez v. Ashcroft*, 374 F.3d 759, 761 (9th Cir. 2004). We dismiss in part and deny in part the petition for review.

We lack jurisdiction to review Petitioners' challenges to the BIA's November 20, 2003 removal order and to the BIA's orders denying their second and third motions to reopen, because Petitioners did not petition for review of those orders. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1258 (9th Cir. 1996).

The BIA did not abuse its discretion in denying Petitioners' first motion to reopen because the motion was not supported by affidavits or other evidentiary material. *See* 8 C.F.R. § 1003.2(c)(1); *INS v. Doherty*, 502 U.S. 314, 323 (1992).

**PETITION FOR REVIEW DISMISSED in part and DENIED in part.**